

WIRELESS CARRIER E-911 COST RECOVERY SUBCOMMITTEE

January 12, 2005
9:00 a.m.

Virginia Information Technologies Agency
Conference Room, 1st Floor
Richmond Plaza Building
110th South 7th Street
Richmond, Virginia 23219

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|------------------|-----------------------|-------------------|
| Members Present: | Lem Stewart, Chairman | Linda Cage |
| | Pat Shumate | CPT John Furlough |
| | David Von Moll | Denise B. Smith |

Members absent:

Staff Present: Steve Marzolf, Coordinator

CALL TO ORDER

Mr. Stewart called the meeting of the Wireless Carrier E-911 Cost Recovery Sub-committee to order at 0905 hours.

MOTION TO GO INTO CLOSED SESSION

Ms. Cage Captain made the following motion, seconded by Capt. Furlough:

Mr. Chairman, I move that the Subcommittee go into closed session pursuant to Va. Code § 2.2-3711A Subchapter 27 for the purpose of discussing trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.) of Title 59.1, submitted by CMRS providers as defined in § 56-484.12, related to the provision of wireless E-911 service and to seek legal advise; passed 6-0.

MOTION TO RECONVENE IN OPEN SESSION

Mr. Von Moll made a motion, seconded by Mr. Shumate, to reconvene in open session; passed 6-0.

MOTION MADE IN OPEN SESSION

Ms. Cage made the following motion, seconded by Capt. Furlough:

I move that we adopt the following certification, "We hereby certify that we have just come out of closed session, that was held pursuant to my earlier motion, and that to the best of each member's knowledge, we discussed only public business matters lawfully exempted from

the open meeting requirements under the Freedom of Information Act. Additionally, only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting by the Authority. Passed 6-0 on roll call vote: Mr. Stewart, yea; Ms. Cage, yea; Capt. Furlough, yea; Mr. Shumate, yea; Mr. Von Moll, yea; Ms. Smith, yea.

OPEN SESSION

Mr. Von Moll made a motion, seconded by Capt. Furlough, to approve the Subcommittee minutes of November 10, 2004 as submitted; passed 6-0.

Ms. Smith made a motion, seconded by Ms. Cage, that the Wireless Carrier E-911 Cost Recovery Subcommittee recommend to the Wireless E-911 Services Board that the Board should delegate to it Chairman and Chief Information Officer the authority to approve and enter into settlement with Cingular Wireless to resolve the costs for location measurements units for Cingular Wireless, AT&T Wireless Services, and the former areas of Triton PCS, on terms and conditions satisfactory to the CIO, including but not limited to a requirement that Cingular must refund with interest the settlement payment if any of the LMUs wholly or partially funded by the settlement are later used for any application other than E-911; passed 6-0.

Capt. Furlough made a motion, seconded by Mr. Shumate, to recommend to the full Board that the 2006 CMRS funding submissions received from Alltel, Cingular, Nextel, Nextel Partners, nTelos, Sprint PCS, Triton PCS and Virginia Cellular be approved as presented with the exception of LMU costs, which will be resolved through separate agreement; passed 6-0.

No further business being discussed, Ms. Cage made a motion, seconded by Mr. Shumate, to adjourn meeting at 0950 hours; passed 6-0.

Respectfully submitted,

Steven E. Marzolf
Public Safety Communications Coordinator
Public Safety Communications Division
Department of Technology Planning

Approved by sub-committee: _____
(date)